

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JERRON J. DAVIS,

Petitioner,

Case No. 15-cv-11528  
Hon. Matthew F. Leitman

v.

DUNCAN MACLAREN,

Respondent.

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**ORDER TO CLARIFY PETITION FOR  
WRIT OF HABEAS CORPUS (ECF #1)**

Petitioner Jerron J. Davis (“Petitioner”) is a state prisoner at the Kinross Correctional Facility in Kincheloe, Michigan. On April 28, 2105, Petitioner, acting *pro se*, filed a document with the Clerk of this Court entitled “State Writ of Habeas Corpus” (the “Habeas Filing”). (*See* ECF #1.) Petitioner captioned the Habeas Filing as if it was to be filed in Michigan’s 50th Judicial Circuit Court in Chippewa County, Michigan. (*See id.* at 1, Pg. ID 1.) Petitioner, however, mailed the Habeas Filing to the Clerk of this Court at its Detroit office. (*See* ECF #1-1 at 5-6, Pg. ID 55-56.) It is unclear whether Petitioner intended to file a federal petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 or if he simply mailed his Habeas Filing to the wrong court. Clarifying Petitioner’s intent is important because the filing of a federal habeas petition under 28 U.S.C. § 2254

could potentially have adverse consequences for Petitioner should he attempt to file a future federal habeas petition. *See* 28 U.S.C. § 2244.

Therefore, **IT IS HEREBY ORDERED** that Petitioner clarify, in writing, whether he intended to file the Habeas Filing with this Court as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 or if he intended to file the Habeas Filing with a state court. Petitioner shall file this written clarification within 45 days of the date of this Order. Petitioner shall mail and address the written clarification to the “Clerk of the Court – United States District Court Eastern District of Michigan” at the following address: 231 West Lafayette Blvd., Detroit, Michigan 48226. Petitioner shall include at the beginning of his written clarification the caption of this case, “Jerron J. Davis v. Duncan McLaren,” and the case number “15-11528.”

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 17, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 17, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113